

Matter No. 7376-2Initials: 7:gm 9-15-00

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Serial No. 09/600,359Applicant: Robert Moule et al.
BARRIER MATERIALS AND
PRODUCTS PRODUCED THEREWITHReceipt of the attached is
acknowledged.

(☐) Application
(☒) Check for \$ 65.00, \$55.00, \$40.00
(☐) _____ sheets of drawing(s)
(☐) Small Entity Declaration
(☒) Declaration & Power of Atty.
(☒) Assignment
(☐) Amendment
(☒) Req. for Extension of Time
(☐) Specimens
(☐) Information Disclosure Statement
(☐) _____
(☐) _____
(☐) _____

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Serial No. 09/600,359Applicant: Robert Moule et al.
BARRIER MATERIALS...Receipt of the attached is
acknowledged.

(☐) Application
(☒) Check for \$ 435.00; 65.00
(☐) _____ sheets of drawing(s)
(☒) Small Entity Declaration
(☒) Declaration & Power of Atty.
(☒) Assignment & checks for 120.00
(☐) Amendment
(☒) Req. for Extension of Time
(☐) Specimens
(☐) Information Disclosure Statement
(☐) _____
(☐) _____

526 Rec'd PCT/PTO 21 SEP 2000

7376-2:TQH:100793

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Robert Moule et al.)
Serial No. 09/600,359)
Filed July 14, 2000)
BARRIER MATERIALS AND)
PRODUCTS PRODUCED THEREWITH)
US National Stage of PCT/GB99/00044)
International Filing Date January 18, 1999)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on 9-15-00.

Thomas Q. Henry
Name of Registered Representative

Thomas Henry
Signature

9-15-00
Date of Signature

**SUBMISSION OF VERIFIED STATEMENTS
AND REQUEST FOR REFUND**

Hon. Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

Enclosed are the verified statements of the inventors and the assignee of the above-identified patent application which establish small entity status for this case. Please therefore refund one-half of the \$840.00 filing fee of paid on July 14, 2000 to Deposit Account No. 23-3030.

Respectfully submitted,

By: Thomas Henry
Thomas Q. Henry
Reg. No. 28,309
Woodard, Emhardt, Naughton
Moriarty & McNett
Bank one Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137
(317) 634-3456

WOODARD, EMHARDT, NAUGHTON, MORIARTY & MCNETT

PATENT AND TRADEMARK ATTORNEYS

BANK ONE CENTER/TOWER
111 MONUMENT CIRCLE, SUITE 3700
INDIANAPOLIS, INDIANA 46204-5137**FAX COVER SHEET**NO. OF PAGES: COVER SHEET PLUS 17 PAGE(S)

TO: Paulette Kidwell, US Patent Office

FAX NO: 703-305-3230

FROM: Thomas Q. Henry

DATE: April 26, 2001

RECEIVED

18 MAY 2001

Legal Staff
International Division**CONFIRMATION OF RECEIPT REQUESTED IF CHECKED.**

ORIGINAL COPY AND ANY ENCLOSURES

☐ WILL

BE SENT BY MAIL/COURIER

☒ WILL NOT

If problems occur during transmission, please contact us at one of the following:

VOICE PHONE number: (317) 634-3456

PRIMARY FAX number: (317) 637-7561

SECONDARY FAX number: (317) 637-7587

SPECIAL REMARKS:

Copies you requested, Serial No. 09/600,359, Moule et al.

THIS MESSAGE IS INTENDED ONLY FOR THE ADDRESSEE(S) IDENTIFIED ABOVE.

It may contain privileged, confidential, attorney work product, or trade secret information that is exempt from disclosure under applicable laws. If you are not the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you have received this facsimile in error, please notify the sender immediately by telephone and return the facsimile (and all copies) to the sender by mail at the above address. The sender will reimburse you for reasonable expenses incurred. Thank you.

7376-2:TQH:100964

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)

Robert Moule et al.)

Serial No. 09/600,359)

Filed July 14, 2000)

BARRIER MATERIALS AND
PRODUCTS PRODUCED THEREWITH)US National Stage of PCT/GB99/00044)
International Filing Date January 18, 1999)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on 9-15-00.

Thomas Q. Henry
Name of Registered Representative

Thomas Q. Henry
Signature

9-15-00
Date of Signature

RESPONSE TO MISSING PARTS

Hon. Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

In response to the Notice of Missing Parts dated August 9, 2000, enclosed is the executed Declaration of the inventors. Also enclosed are the verified statements of the inventors and the assignee of the above-identified patent application which establish small entity status for this case, along with the \$65.00 surcharge for late filing, a one-month request for extension and the extension fee of \$55.00. Please charge any additional fees or credit any overpayment to Deposit Account No. 23-3030.

Respectfully submitted,

By: Thomas Q. Henry

Thomas Q. Henry

Reg. No. 28,309

Woodard, Emhardt, Naughton

Moriarty & McNett

Bank one Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, IN 46204-5137

(317) 634-3456

09/600 359



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AUG 18 2000

09/600 359	MODULE	R	7376-2
U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. CHECK NO.	
	5611	PCT/GB99/00044	
THOMAS J HENRY 111 MONUMENT CIRCLE 3700 BANK ONE TOWER INDIANAPOLIS IN 46204			
INTERNATIONAL APPLICATION NO.			
I.A. FILING DATE 1/15/98 PRIORITY DATE 01/16/98			
DATE MAILED: 08/09/00			

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

- The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
 - ☐ a Designated Office (37 CFR 1.494),
 - ☒ an Elected Office (37 CFR 1.495);
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☐ English.
 - ☒ Translation of the international application into English.
 - ☒ Oath or Declaration of inventors(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☒ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☒ Preliminary amendment(s) filed 14 JUL 2000 and _____
 - ☐ Information Disclosure Statement(s) filed _____ and _____
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed _____
 - ☐ Verified Statement Claiming Small Entity Status.
 - ☒ Priority Document.
 - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
 - ☐ Other _____
- The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
 - ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
- Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed:
- ☒ PCT/DO/EO/917
 - ☐ PTO-875
 - ☐ Notice of Defective Translation
- FORM PCT/DO/EO/905 (December 1997)

PK
Paulette Kidwell Paralegal
Telephone: 703-305-3656

09/600359



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

U.S. APPLICATION NO. 09/600,359	FIRST NAMED APPLICANT MOJILE	ATTY. DOCKET NO. R 7376-2
5611		INTERNATIONAL APPLICATION NO. PCT/GB99/00044
THOMAS D HENRY 111 MONUMENT CIRCLE 3700 BANK ONE TOWER INDIANAPOLIS IN 46204		1A. FILING DATE PRIORITY DATE

DATE MAILED: 01/18/99 01/16/98

09 AUG 2000

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Patricia K. Kidwell, family al
Telephone: 703 303-3656